

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JERMEAL WHITE  
Plaintiff,

VS.

Complaint  
Civil Action No. 1:19CV470

R. ERDOS, Warden;  
C. DUCKWORTH,  
David Dunlap, Corrections  
Officers

Defendants,

J. BARRETT

M. J. LITKOVITZ

JUN 20 PM 1:27

I. JURISDICTION and VENUE

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of State Law, of "rights Secured" by the Constitution of the United States. The Court has jurisdiction under 28 U.S.C. Section 1331 and 1343(c)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section 2201 and 2202. Plaintiff claims for injunctive relief are authorized by 28 U.S.C. Section 2283 and 2284, and rule 65 of federal rules of civil procedure.



2. The United States District Court, for the Southern District of Ohio is an appropriate venue under 28 U.S.C. Section 1391(b)(2) because it is where the events giving rise occurred.

### II. Plaintiff

Plaintiff, Jermear White is and was at all times mentioned herein a prisoner of the State of Ohio in the custody of the Ohio Department of Corrections. He is currently confined in: Southern Ohio Correctional Facility, P.O. Box 45699 Lucasville, Ohio 45699

### III. Defendants

Defendant, B. E. Boos Warden, is the Superintendent/Warden of: Southern Ohio Correctional Facility Department of Corrections who, at all times mentioned in this complaint held the rank of and is legally responsible for the operation of the prison, and for the welfare of all the inmates.

Defendant, C. Duckworth is a correctional officer, of the Department of Corrections, and was assigned to the Southern Ohio Correctional Facility. Defendant Lt. David Dunlap is a officer of the Department



of corrections, and was assigned to the Southern Ohio Correctional facility.

### FACTS

Frist I have been constantly telling administrative staff here at this prison I need to be transferred and that's not a good thing for me to be here. (See Exhibit A) Especially on the fact that I filed a civil complaint with this same court, Case No. 1:19-cv-33 I have been going through serious retaliation to the point in regard to this instant civil complaint, on April, 26 2019 I got moved to a different unit on the fact I got my Level Status Lowered, I got moved April, 25 2019, but the incident happened April, 26 2019 where correction officer C. Duckworth told a crazy lie on me, just because staff don't like me, causing me emotional pain and severe stress. The conduct report C. Duckworth wrote on me I was completely withdrawn. (See Exhibit B) and (Exhibit C) Also on 4-26-19 when Mr. LT. David Dunlap used excessive force on me for no reason at all in the hall, he bent my wrist so hard popping it out of place when he threw me



on the hallway wall, then he power walked me to confinement unit still with my hand bent up for no reason. Then he threw me inside the cage so hard head first, that I had a knot on my head. When medical came I told the nurse my situation, and my wrist may be popped out of place and it was. The nurse refused me medical attention, I was on constant watch when the nurse came to my cell, it's a camera right there to prove it, the nurse never pulled me out, so that I could of had the medical attention required. Everything the nurse said in her statement is a lie. Also I came off constant watch 4-27-19, and was on a documented hunger strike from ~~from~~ from 4-26-19, until 5-3-19 and the nurse who came to see me told I can refuse my vitals, the only reason I was getting vital check is because I was on hunger strike, because I'm tired of what I'm going through at this prison for no reason. Also my status is still lowered, staff have put me back on this same unit, and staff



are hurting me everyday. It's really bad for me. Only thing I can do is stay strong. I don't want no trouble, but it's like they trying to set me up for trouble. I told administration of the prison, (See Exhibit D). In a full grievance to the Chief Inspector I expressed all my facts and situation, who have not responded back to me, this situation is a Emergency because something can happen to me for no reason, and I don't feel safe at this prison. The camera, documents, and facts prove this complaint of Civil Law. (See Exhibit E)



## Exhaustion of Legal Remedies

Plaintiff Jermear White used the prisoner grievance procedure available at Southern Ohio Correction Facility to try and resolve the problem. Plaintiff grievance was denied 5-28-19. Plaintiff did appeal that grievance 5-29-19 to the ~~case~~ Chief Inspector. However there as been no response to plaintiff emergency situation.

## Legal Claims

Plaintiff's Eight and fourteenth Amendment Claim has been violated when Lt. David Dunlap used excessive force on plaintiff for no reason, Plaintiff was refused medical attention, Plaintiff as suffered retaliation when Officer C. Duckworth lied on plaintiff, Plaintiff as also suffered physical, and emotional injury.

## Prayer for relief.

Wherefore, Plaintiff respectfully prays that this court enter judgment granting plaintiff compensatory damages in the amount of 150 thousand dollars against each defendant jointly and severally, and any additional relief this court deems just, proper and equitable.



Date: ~~6~~ 6-17-19

respectfully submitted

Jermear White #A654-040

S.O.C.F P.O. Box 45699

Lucasville, Ohio 45699

### Verification

I have read the foregoing complaint and hereby verify that the matters alleged therein are true, except as to matters alleged on information and belief, and, as to those I believe them to be true. I certify under penalty of Perjury that the foregoing is true and correct.  
Executed at, S.O.C.F P.O. Box 45699  
Lucasville Ohio 45699.

Signature: Jermear White

Jermear White #A654-040

### Certificate of Service

I hereby certify that this complaint has been sent via regular mail to the United States District Court Southern District of Ohio, Office of the Clerk, 100 E. Fifth Street, Room 103, Cincinnati, Ohio 45202  
this 17<sup>th</sup> day of June 2019

respectfully submitted  
Jermear White #A654-040